

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ELMER L. CHAVIS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:05-CV-1208-WKW
)	
JOE HERRING, JR.,)	
)	
Defendant.)	

ORDER

On January 6, 2006, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge which is hereby ADOPTED, it is

ORDERED that this case is dismissed with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

Done this the 31st day of January, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE